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CONSTITUTION OF THE PEOPLE'S REPUBLIC OF ALBANIA

PART ONE
FUNDAMENTAL LAWS

TITLE I
The People's Republic of Albania

ARTICLE 1

642 Albania is a People's Republic in which all powers are derived from and belong to the people.

ARTICLE 2

In the People's Republic of Albania the people rule by means of various representative organs of state, namely, the People's councils which came into existence during the struggle for national liberation against fascism and reaction and which represent the greatest victory of the large masses of the Albanian people.

These organs are freely elected by the people from the local councils to the People's Convention.

ARTICLE 3

[666] All the representative organs of the state are elected by the citizens by free elections, and by universal, equal, direct, and secret ballot.

In all organs of the state the representatives of the people are responsible to their constituents.

The constituents have the right to recall their representatives at any time. The exercise of this right is to be regulated by a special law.

ARTICLE 4

All the organs of the state exercise their functions according to this constitution, and according to laws and regulations passed by the high organs of state.

3 [p. 2 is blank]

[Constitution]

641 No privilege because of family, position in life, wealth,
554 or cultural level is recognized.

ARTICLE 13

[563] All citizens are equal regardless of nationality, race, or
[659] religion. Any act which grants privileges or takes away rights from any citizen because of nationality, race, or religion is unconstitutional and carries with it punishments as provided by law. It is unconstitutional and punishable by law to stir up hatred and dissension among nationalities, races, or religions.

ARTICLE 14

666 All citizens who have reached the age of eighteen are
641 eligible to elect and be elected in all organs of state, regardless of sex, nationality, race, creed, cultural level, or residence.

Members of the armed forces also have these rights.

The right to vote is universal, equal, direct, and secret.

The right to vote is forfeited by those who have been disqualified by law.

ARTICLE 15

562 Women are equal to men in all walks of life, private, political, or social.

Women shall receive the same pay as men for the same work. And women have similar rights with regard to social security.

745 The government especially protects the interests of mothers and young children, by assuring vacations with pay before and after childbirth and also by building maternity hospitals and nurseries.

ARTICLE 16

659 Freedom of conscience and religion is guaranteed to all citizens.

The church is separated from the state.

Religious communities are free to exercise and practice their creeds.

[Constitution]

nation and state, and exercises all the sovereign rights under the constitution with the exception of those rights which the constitution itself has assigned to the Presidium of the People's Convention or to the government. 646

ARTICLE 39

Legislative powers are exercised only by the People's Convention.

ARTICLE 40

The People's Convention is elected by all the citizens, with one representative for every 20,000 people. [666]

ARTICLE 41

The People's Convention is elected for four years.

ARTICLE 42

At the beginning of each session the People's Convention elects a president, vice-president and secretary. The president presides over the meetings according to the rules of procedure.

ARTICLE 43

The People's Convention is called by a decree of the Presidium in ordinary and extraordinary sessions. [643]

Ordinary sessions meet twice annually, March 15 and October 15. If the People's Convention is not called on these two dates, it will meet on its own initiative and without a decree of the Presidium.

Extraordinary sessions of the People's Convention are called when the Presidium deems it necessary or when one-third of the members request its convocation.

ARTICLE 44

The People's Convention makes its own rules of procedure.

ARTICLE 45

No bill can become a law until it is passed by the relative majority in a session when the majority of its members take part.

[Constitution]

ARTICLE 46

646 Laws become effective fifteen days after they are promulgated in the official Journal, except when it is designated otherwise in the law itself.

ARTICLE 47

The People's Convention appoints various committees for specific purposes.

The People's Convention appoints a committee to examine the credentials of the people's representatives in its first session.

Upon recommendation of this committee the People's convention approves or rejects the credentials of the people's representatives.

ARTICLE 48

The People's Convention may investigate matters of general interest through special committees.

All organs of the state must give facts and information when these committees demand it.

ARTICLE 49

All members of the People's Convention enjoy parliamentary immunity.

Members of the People's Convention and of the Presidium cannot be arrested or prosecuted without the approval of the People's Convention, except in case of *flagrante delicto*.

ARTICLE 50

In case of war or similar emergency the People's Convention may convene longer than its normal term so long as the emergency exists.

The People's Convention may also shorten its term.

ARTICLE 51

[666] The date for new parliamentary election must be fixed before the convention dissolves.

The interval between the day of dissolution of the People's Convention and the day of the new elections must not exceed three months nor be less than two months.

[Constitution]

ARTICLE 65

The various ministries of the government are: 645

1. Ministry of Foreign Affairs
2. Ministry of the Interior
3. Ministry of National Defense
4. Ministry of Justice
5. Ministry of Finance
6. Ministry of Education
7. Ministry of Economy
8. Ministry of Agriculture and Forestry
9. Ministry of Public Works
10. Ministry of Health

ARTICLE 66

The government may appoint a special Council of Ministers to deal with questions of national economy and defense.

The decree by which this Council is appointed shall determine its organization and scope.

TITLE III

Organs of the Local Governmental Units

ARTICLE 67

The people's councils are the governmental units in rural 631
districts, communes, subprefectures, and prefectures.

The people's councils are elected directly by the people: [666]
those of the rural districts for two years and those of the communes, subprefectures, and prefectures, for three years.

The people's councils of the communes, subprefectures, and prefectures hold regular meetings according to special regulations.

ARTICLE 68

The people's councils direct their own administrative 632
affairs, are responsible for economic and cultural matters 623
within their jurisdiction, maintain order, see that the laws

[Constitution]

191 Any citizen who does not know Albanian may use his own
695 language through an interpreter.

ARTICLE 81

692 The Supreme Court is elected for four years by the People's Convention of the Republic and by secret ballot.

The courts of the prefectures are elected for three years by the people's councils of the prefecture and by secret ballot.

● [666] The judges of the subprefectures are also elected for three years by the people's councils of the subprefecture and by secret ballot.

A person may be elected judge many times.

The manner of election to all courts will be defined by law.

ARTICLE 82

The Supreme Court is the highest judicial body of the People's Republic of Albania.

[698] The Supreme Court can arbitrate any conflict of jurisdiction between the civil and military courts as well as between courts and any other bodies.

Cases in which the Supreme Court acts as a court of original or secondary jurisdiction will be defined by law.

ARTICLE 83

The Supreme Court passes on the legality of all court decisions of the Republic.

693 Only the District Attorney may exercise an appeal
[692] against a summary decision of the courts. The decision given on such an appeal has no effect on the cause tried except when the law provides otherwise.

(b) *Department of the Attorney General*

ARTICLE 84

693 The Department of the Attorney General is the organ of
646 the People's Convention which supervises the execution of the law by the ministries and other administrative bodies as well as by all public officials and citizens.

ARTICLE 85

The Attorney General of the People's Republic of Albania